

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

MARK DAPPOLLONE, Individually and on  
Behalf of All Others Similarly Situated,

Plaintiff,

v.

BENEFICIAL BANCORP, INC., FRANK A.  
FARNESI, EDWARD G. BOEHNE, KAREN  
DOUGHERTY BUCHHOLZ, MICHAEL J.  
DONAHUE, DONALD F. GAYHARDT, JR.,  
ELIZABETH H. GEMMILL, THOMAS J.  
LEWIS, and ROY D. YATES,

Defendants

**Case No.: 1:18-cv-09395-PGG**

**NOTICE OF VOLUNTARY DISMISSAL**

Notice is hereby given that pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), Plaintiff voluntarily dismisses with prejudice as to Plaintiff and without prejudice as to the putative class the above-titled action against Defendants as moot. Because this dismissal is being filed with the Court before service by Defendants of either an answer or a motion for summary judgement, Plaintiff's dismissal of the Action is effective upon the filing of this notice.

DATED: January 4, 2019

**MONTEVERDE & ASSOCIATES PC**

/s/ Juan E. Monteverde

Juan E. Monteverde

The Empire State Building

350 Fifth Avenue, Suite 4405

New York, NY 10118

Tel.: (212) 971-1341

Fax: (212) 202-7880

Email: [jmonteverde@monteverdelaw.com](mailto:jmonteverde@monteverdelaw.com)

*Counsel for Plaintiff*

